

### REMARKS

Claims 1-35 are pending in the application. Claims 1-4, 9-10, 12, 14-15, 17-32, and 34 have been rejected. Claims 5-8, 11, 13, 16, 33, and 35 have been allowed. Claim 19 has been amended, and claim 18 has been canceled without prejudice. Support for the claim amendment can be found in the entire specification. No new matter has been amended by the amendments. Applicant respectfully requests reconsideration in view of the amendment and remarks submitted herewith.

#### ***Claim rejections under 35 U.S.C. § 103***

Claims 1-4, 9-10, 12, 14-15, 17, 19-32, and 34 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kimura et al., US 5,960,866 (hereinafter "Kimura") in view of Jacoby, US 5,499,450 (hereinafter "Jacoby") for the reasons stated on pages 2-3 of the office action. Applicant respectfully traverses the rejection.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970). Neither Kimura nor Jacoby, however, teaches or suggests all elements of the claimed invention.

Claim 1 recites a heat sink with fins comprising: a base plate made of a heat conductive material; a plurality of heat dissipating fins which are positioned in heat-dissipating-fin mounting portions formed on one surface of said base plate and are jointed to said base plate by mechanical crimping; and at least one heat pipe which is positioned in a heat-pipe mounting portion formed on an opposite surface of said base plate, portions in the vicinity of said heat pipe being crimped to joint said heat pipe to said base plate. In claim 1, the heat dissipating fins are positioned on one surface of the base plate, that is, the heat dissipating-fin mounting portion, and the heat pipe is positioned on an opposite surface of the base surface, that is, the heat-pipe mounting portion. Fig. 7C of the application, for example, shows that the heat dissipating fins (3) and the heat pipe (4) are positioned on the opposite surface of the base plate (2), with respect to each other.

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In contrary, Col. 2, lines 5-8 and Fig. 16 of Kimura teach that a metal block (2) is attached to an evaporation part (10) of each heat pipe (1) and radiation fins (3) are disposed to a condensation part (11) of each heat pipe (1). Therefore, the evaporation part (10), on which the radiation fins are not disposed, is not the base plate as recited in claim 1. Further, the radiation fins (3) are disposed on both sides of the condensation part (11), and the heat pipe (1) does not disposed on any side of the condensation part (11). Therefore, the condensation part (11) is not the base plate as recited in claim 1. Thus, Kimura neither teaches nor suggests the elements "a plurality of heat dissipating fins which are positioned in heat-dissipating-fin mounting portions formed on one surface of said base plate and are jointed to said base plate by mechanical crimping; and at least one heat pipe which is positioned in a heat-pipe mounting portion formed on an opposite surface of said base plate, portions in the vicinity of said heat pipe being crimped to joint said heat pipe to said base plate", as recited in claim 1.

Jacoby does not teach or suggest the base plate having the heat dissipating fins on one surface thereof and the heat pipe disposed on an opposite surface thereof. Therefore, Jacoby does not cure the deficiency of Kimura. Further, Jacoby does not teach or suggest the heat pins attached to the base plate by mechanical crimping. Fig. 2 of Jacoby shows a wire element (12) having a pair of pins (12a) and a crimped central portion (12b). Therefore, crimped is the central portion (12b) of the wire element (12), not the pins (12a). Thus, Jacoby fails to teach or suggest the fins attached to the base plate by mechanical crimping as recited in claim 1.

Because neither Kimura nor Jacoby teaches or suggests the elements "a plurality of heat dissipating fins which are positioned in heat-dissipating-fin mounting portions formed on one surface of said base plate and are jointed to said base plate by mechanical crimping; and at least one heat pipe which is positioned in a heat-pipe mounting portion formed on an opposite surface of said base plate, portions in the vicinity of said heat pipe being crimped to joint said heat pipe to said base plate", as recited in claim 1, the combination of Kimura and Jacoby does not render claim 1 obvious. Claims 3-4, 9, 12, 14-15, 17, and 23-24 depend from claim 1, thus are believed to be allowable due to their dependency on claim 1.

Neither Kimura nor Jacoby teaches or suggests the heat dissipating fins attached to the base plate by mechanical crimping or the base plate having heat dissipating fins on one surface thereof and the heat pipe into a hollow formed therein, as recited in claim 2, for at least the reasons stated above for claim 1. Therefore, the combination of Kimura and Jacoby does not render claim 2 obvious because the combination does not teach or suggest the elements “a plurality of heat dissipating fins which are positioned in heat-dissipating-fin mounting portions formed on one surface of said base plate and are jointed to said base plate by mechanical crimping; and at least one heat pipe which is inserted into a hollow formed in said base plate, portions in the vicinity of said heat pipe being crimped to joint said heat pipe to said base plate”, as recited in claim 2. Claims 10, 21-22, 26-32, and 34 depend from claim 2, thus are believed to be allowable due to their dependency on claim 2.

Neither Kimura nor Jacoby teaches or suggests the elements “preparing a base plate made of a heat conductive material, including on one surface of said base plate, heat-dissipating-fin mounting portions for positioning heat dissipating fins and on opposite surface of said base plate, a heat-pipe mounting portion for positioning a heat pipe; and mechanically crimping portions in the vicinity of both sides of each of said heat-dissipating-fin mounting portions so that said heat dissipating fins and said heat pipe are jointed to said base plate”, as recited in claim 19 for at least the reasons given for claim 1. Claim 20 depends from claim 19, thus is believed to be allowable due to its dependency on claim 19.

***Claim rejections under 35 U.S.C. § 102***

Claim 18 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Hood, III et al., US 6,125,035 for the reasons stated on page 3 of the Office Action. Since claim 18 has been canceled without prejudice, the rejection of claim 18 is moot.

**Conclusion**

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorney would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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